

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X :  
ROBERT L. GARBER, Derivatively on Behalf :  
of LEHMAN BROTHERS HOLDINGS, INC., :  
 :  
Plaintiff, :  
 :  
v. : Case No.: 07-CV-02990 (DAB)  
 :  
RICHARD S. FULD, JR., MICHAEL L. :  
AINSLIE, JOHN F. AKERS, ROGER S. :  
BERLIND, THOMAS H. CRUIKSHANK, :  
MARSHA JOHNSON EVANS, SIR :  
CHRISTOPHER GENT, JOHN L. CECIL, :  
ROLAND A. HERNANDEZ, JOHN D. :  
MACOMBER, DINA MERRILL, JONATHAN :  
BEYMAN, DAVID GOLDFARB, JOSEPH M. :  
GREGORY, JEREMY M. ISAACS, :  
CHRISTOPHER O'MEARA, THOMAS A. :  
RUSSO, BRADLEY H. JACK, HENRY :  
KAUFMAN, STEPHEN M. LESSING, :  
MICHAEL F. MCKEEVER, JEFFREY :  
VANDERBEEK, :  
 :  
Defendants, :  
 :  
- and - :  
 :  
LEHMAN BROTHERS HOLDINGS, INC., :  
 :  
Nominal Defendant. :  
-----X :

**NOTICE OF MOTION FOR INTERVENTION**

PLEASE TAKE NOTICE that Saginaw Police & Fire Pension Board ("Saginaw")  
will hereby move this Court for an Order (attached hereto) permitting Saginaw to fully  
intervene in this action as a plaintiff, and granting such other relief as the Court may

deem just and proper. For the reasons set forth in the supporting memorandum of law and declaration of David R. Scott, Esq., Saginaw respectfully requests that the Court enter the attached Order.

DATED: August 14, 2007

Respectfully submitted,

SCOTT + SCOTT, LLP

/s/ Beth A. Kaswan

Beth Kaswan (BK-0264)  
75 Rockefeller Plaza  
19<sup>th</sup> Floor, Suite 1915  
New York, NY 10019  
Telephone: 212/710-1040  
Facsimile: 212/710-1041  
bkaswan@scott-scott.com

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SCOTT + SCOTT, LLP

David R. Scott  
108 Norwich Ave.  
P.O. Box 192  
Colchester, CT 06415  
Telephone: 860/537-5537  
Facsimile: 860/537-4432  
drscott@scott-scott.com

SCOTT + SCOTT, LLP

Geoffrey Johnson  
33 River Street  
Chagrin Falls, OH 44022  
Telephone: 440/247-8200  
Facsimile: 440/247-8275  
gjohnson@scott-scott.com

**Counsel for Intervenor**

**CERTIFICATE OF SERVICE**

I hereby certify that on August 14, 2007, a copy of the foregoing Notice of Motion for Intervention was filed electronically and served by mail on anyone unable to accept electronic filing. Notice of this filing will be sent by e-mail to all parties by operation of the court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the Court's CM/ECF System.

/s/ Beth A. Kaswan  
Beth A. Kaswan (BK-0264)